

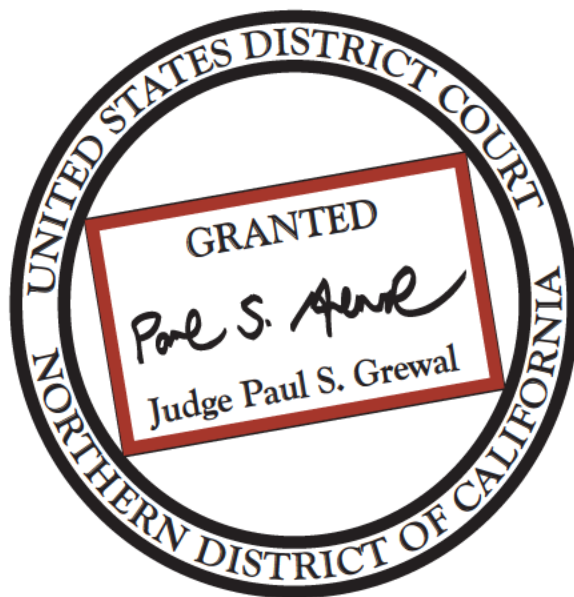
Daniel A. Small (*pro hac vice*)  
COHEN MILSTEIN SELLERS & TOLL PLLC  
1100 New York Ave. NW, Suite 500  
Washington, DC 20005  
Telephone: (202) 408-4600  
Facsimile: (202) 408-4699  
dsmall@cohenmilstein.com

Steve W. Berman (*pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1918 Eighth Avenue, Suite 3300  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com

Marc M. Seltzer  
SUSMAN GODFREY L.L.P.  
1901 Avenue of the Stars, Suite 950  
Los Angeles, CA 90067-6029  
Telephone: (310) 789-3100  
Facsimile: (310) 789-3150  
mseltzer@susmangodfrey.com

[Additional Counsel on Sig. Page]

*Interim Co-Lead Class Counsel*



UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

IN RE ANIMATION WORKERS ANTITRUST  
LITIGATION

Master Docket No. 14-CV-4062-LHK  
STIPULATION AND ~~[PROPOSED]~~  
ORDER REGARDING EXPERT  
DISCOVERY

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

1           The parties through their respective counsel of record stipulate to the following regarding the  
2 scope of expert discovery and testimony in this matter.

3           1.       No party or their experts are obligated to preserve or produce budgets, invoices, bills,  
4 receipts or time records concerning testifying or non-testifying expert witnesses or consultants, their  
5 staff, assistants, colleagues, or associates, or their companies or organizations. However, this  
6 Stipulation and Order shall not be construed to preclude reasonable questions at an expert's  
7 deposition regarding an expert's hourly rate and that of the expert's staff, the amount of time an  
8 expert or that expert's staff has spent on the expert's report and associated work and the amount of  
9 money billed for the report and associated work.  
10

11           2.       For the purposes of expert discovery in this matter, the term "considered" as used in  
12 Federal Rules of Civil Procedure 26(a)(2)(B)(ii) and 26(b)(4)(C)(ii) shall be interpreted as "relied  
13 upon." Material considered by a testifying expert, but not relied upon, need not be disclosed.  
14

15           3.       Data, statistical analyses, or other information (including any calculation or exhibit)  
16 upon which an expert relies for any of his or her opinion(s) in this matter shall be provided in  
17 electronic or machine readable format, including any data relied upon by the expert that has been  
18 cleaned, reformatted, or modified in any way from the form in which it may have been provided to  
19 the expert. The parties also shall produce any work product (including but not limited to, analyses,  
20 spreadsheets, graphs, and charts) relied upon by any testifying expert that is based on the output from  
21 any computer programs that are produced. All documents, data, and other information relied upon  
22 shall be provided in a format as agreed to by the parties, along with any software and instructions  
23 required to read them, but no party need produce computer software that is reasonably and  
24 commercially available (e.g., Microsoft Word, Excel). If data relied upon by an expert witness is  
25 derived from electronic data produced by any party or third party to this litigation, the party shall  
26 produce (a) the original unmodified data set relied upon by the expert (if not previously produced);  
27  
28

1 (b) the adjusted data set, reflecting any modifications, clean up or other changes to the original data  
2 set made by the expert; and (c) any code used to perform any such modification, clean up or other  
3 change.

4 4. All electronic data, together with programs and instructions, shall be made available  
5 within three (3) days of the disclosure of the expert witness's report to all parties. Copies of the  
6 electronic data together with any programs and instructions, and all other materials required to be  
7 produced, shall be delivered by hand, overnight express, or electronic means (e.g., FTP) to counsel  
8 designated by each party.  
9

10 5. The following categories of documents or electronically stored information ("ESI")  
11 need not be preserved or disclosed by any party or their experts and are outside the scope of  
12 permissible discovery (including deposition questions):  
13

- 14 a. Intermediate drafts of reports, studies, or work papers (including intermediate  
15 calculations, computations or data runs) and other intermediate draft materials  
16 prepared by, for, or at the direction of an expert witness or a non-testifying expert  
17 or consultant unless the testifying expert witness has relied upon those drafts in  
18 connection with the expert witness' opinions in this matter;  
19  
20 b. Any oral, written or other communication between or among expert witnesses,  
21 non-testifying experts or consultants, their staff, assistants, colleagues or  
22 associates, or one or more attorneys (or their staff) for the party or parties offering  
23 the testimony of the expert witness, unless the testifying expert witness is relying  
24 upon such communications in connection with the expert witness' opinions in this  
25 matter; and  
26  
27 c. Any notes, ESI or other writings taken or prepared by or for a testifying expert  
28 witness or non-testifying expert or consultant in connection with this matter,

1 including without limitation correspondence, e-mails or memoranda to or from,  
 2 and notes of conversations with, the expert's staff, assistants, colleagues or  
 3 associates, one or more other expert witnesses or non-testifying expert  
 4 consultants, or one or more attorneys for the party or parties offering the  
 5 testimony of the expert witness, unless the testifying expert witness is relying  
 6 upon such notes, ESI or other writings in connection with the expert witness'  
 7 opinions in this matter.  
 8

9 6. Nothing in this stipulation shall permit a party or a testifying expert to withhold any  
 10 proposition, fact, belief or other data, information or material on which the expert relies in support of  
 11 her or his opinion in this matter.  
 12

13 7. Neither the terms of this Stipulation and Order nor the parties' agreement to them  
 14 implies that any of the information restricted from discovery through the Stipulation and Order  
 15 would otherwise be discoverable.

16 8. Any party may move the Court to modify this Stipulation and Order upon good cause  
 17 shown.

18 9. The parties agree to comply with this Stipulation and Order pending the Court's  
 19 approval.  
 20

21 IT IS HEREBY STIPULATED

22 DATED: January 27, 2015

HAGENS BERMAN SOBOL SHAPIRO LLP

23 By /s/ Jeff D. Friedman  
 24 JEFF D. FRIEDMAN

25 Shana E. Scarlett  
 26 715 Hearst Avenue, Suite 202  
 27 Berkeley, CA 94710  
 28 Telephone: (510) 725-3000  
 jefff@hbsslaw.com  
 shanas@hbsslaw.com

1  
2  
3  
4  
5  
6 DATED: January 27, 2015  
7

Steve W. Berman (*pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1918 Eighth Avenue, Suite 3300  
Seattle, WA 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com

*Interim Co-Lead Class Counsel*  
SUSMAN GODFREY L.L.P.

8 By /s/ Steven G. Sklaver  
STEVEN G. SKLAVER

9 Marc M. Seltzer  
10 1901 Avenue of the Stars, Suite 950  
Los Angeles, CA 90067-6029  
11 Telephone: (310) 789-3100  
Facsimile: (310) 789-3150  
12 ssklaver@susmangodfrey.com  
mseltzer@susmangodfrey.com

13 Matthew R. Berry (*pro hac vice*)  
14 John E. Schiltz (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
15 1201 Third Avenue, Suite 3800  
Seattle, WA 98101  
16 Telephone: (206) 516-3880  
Facsimile: (206) 516-3883  
17

*Interim Co-Lead Class Counsel*

18  
19 DATED: January 27, 2015  
20

COHEN MILSTEIN SELLERS &  
TOLL PLLC

21 By /s/ Daniel A. Small  
DANIEL A. SMALL

22 Brent W. Johnson (*pro hac vice*)  
Jeffrey B. Dubner (*pro hac vice*)  
23 1100 New York Ave. NW, Suite 500  
Washington, DC 20005  
24 Telephone: (202) 408-4600  
Facsimile: (202) 408-4699  
25 dsmall@cohenmilstein.com  
bjohnson@cohenmilstein.com  
26 jdubner@cohenmilstein.com

*Interim Co-Lead Class Counsel*

1 DATED: January 27, 2015

COVINGTON & BURLING LLP

2 By /s/ Emily Johnson Henn  
3 EMILY JOHNSON HENN

4 333 Twin Dolphin Drive, Suite 700  
5 Redwood Shores, CA 94061  
6 Telephone: (650) 632-4700  
7 Facsimile: (650) 632-4800  
8 ehenn@cov.com

*Counsel for Defendants Lucasfilm Ltd., LLC, Pixar,  
The Walt Disney Company, and Two Pic MC LLC*

9 DATED: January 27, 2015

GIBSON DUNN & CRUTCHER LLP

10 By /s/ Rod J. Stone  
11 ROD J. STONE

12 333 South Grand Avenue  
13 Los Angeles, CA 90071-3197  
14 Telephone: (213) 229-7000  
15 Facsimile: (213) 229-7520  
16 rstone@gibsondunn.com

*Counsel for Defendant DreamWorks Animation SKG,  
Inc.*

17 DATED: January 27, 2015

ORRICK HERRINGTON & SUTCLIFFE LLP

18 By /s/ Stephen V. Bomse  
19 STEPHEN V. BOMSE

20 David M. Goldstein  
21 405 Howard Street  
22 San Francisco, CA 94105-2669  
23 Telephone: (415) 773-5700  
24 Facsimile: (415) 773-5759  
25 sbomse@orrick.com  
26 dgoldstein@orrick.com

*Counsel for Defendants Sony Pictures Animation Inc.  
and Sony Pictures Imageworks Inc.*

27 DATED: January 27, 2015

WILLIAMS & CONNOLLY LLP

28 By /s/ Jonathan Bradley Pitt  
JONATHAN BRADLEY PITT

725 Twelfth Street, NW

1 Washington, DC 20005  
2 Telephone: (202) 434-5000  
3 Facsimile: (202) 434-5029  
4 jpitt@wc.com

*Counsel for Defendant Blue Sky Studios, Inc.*

5  
6 **SIGNATURE ATTESTATION**

7 Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of this  
8 document has been obtained from each of the signatories.

9 DATED: January 27, 2015

/s/ Steven G. Sklaver



**PROOF OF SERVICE**

I, the undersigned, declare:

I am employed in the County of King, State of Washington. I am over the age of 18 and not a party to the within action; my business address is 1201 Third Avenue, Suite 3800, Seattle, Washington, 98101.

On January 27, 2015, I served the foregoing document(s) described as follows:

**STIPULATION AND [PROPOSED] ORDER REGARDING EXPERT DISCOVERY**

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached service list, as follows:

**See attached Service List**

       BY MAIL:

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Seattle Washington in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

       BY PERSONAL SERVICE:

I caused to be delivered such envelope by hand to the offices of the addressee.

       BY FEDERAL EXPRESS OR OVERNIGHT COURIER

       BY FAX

I served by facsimile as indicated on the attached service list.

XX BY ELECTRONIC MAIL

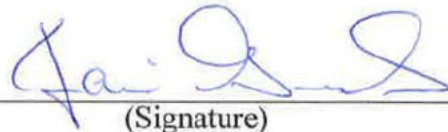
I caused said documents to be prepared in portable document format (PDF) for e-mailing and served by electronic mail as indicated on the attached service list.

Executed on January 27, 2015, at Seattle, Washington

  X   (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

       Jami Grounds

(Type or Print Name)

        (Signature)



**SERVICE LIST**

*In re High-Tech Employee Antitrust Litigation*, No. 11-cv-2509  
All parties in *In re High-Tech*, served via ECF

Defendants in the *Cano v. Pixar, et al.*, Case No. 14-cv-04203 served via U.S. Mail

PIXAR 1200 Park Avenue Emeryville, California 94608	DREAMWORKS ANIMATION SKG, INC. 1000 Flower Street Glendale, CA 91201
LUCASFILM LTD 1110 Gorgas Avenue San Francisco, California 94129	THE WALT DISNEY COMPANY 500 South Buena Vista Street Burbank, California 91505
DIGITAL DOMAIN 3.0, INC. 300 Rose Avenue Venice, CA 90291	IMAGEMOVERS, LLC 1880 Century Park East, Suite 1600 Los Angeles, CA 90067
IMAGEMOVERS DIGITAL P.O. Box 10428 San Rafael, California 94912	SONY PICTURES ANIMATION, INC. 10202 W. Washington Blvd. Culver City, CA 90232
SONY PICTURES IMAGEWORKS, INC. 10202 W. Washington Blvd. Culver City, CA 90232	BLUE SKY STUDIOS, INC 10201 W. Pico Blvd. Los Angeles, CA 90035

*Nitsch v. DreamWorks Animation SKG, Inc., et al.*, Case No. 3:14-cv 04062  
Attorneys for Representative Plaintiff Robert A. Nitsch, Jr. served via email

Daniel A. Small Brent W. Johnson Jeffrey B. Dubner COHEN MILSTEIN SELLERS & TOLL PLLC 1100 New York Avenue NW, Suite 500 Washington, DC 20005 Tel.: (202) 408-4600 Email: kpierson@cohenmilstein.com bjohnson@cohenmilstein.com jdubner@cohenmilstein.com	George Farah Matthew Ruan COHEN MILSTEIN SELLERS & TOLL PLLC 88 Pine Street 14th Floor New York, NY 10005 Tel.: (212) 838-7797 Email: gfarah@cohenmilstein.com mruan@cohenmilstein.com
Bruce Spiva THE SPIVA LAW FIRM PLLC 1776 Massachusetts Avenue NW Suite 601 Washington, DC 20036 Tel.: (202) 785-0601 Email: bspiva@spivafirm.com	Richard L. Grossman PILLSBURY & COLEMAN LLP 600 Montgomery Street Suite 3100 San Francisco, CA 94111 Tel.: (415) 433-8000 Email: rgrossman@pillsburycoleman.com